



IN THE UNITED STATES

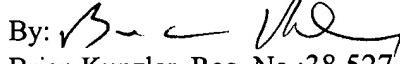
PATENT AND TRADEMARK OFFICE

APPLICANT(S): DARYL CROMER ET AL.
 SERIAL No.: 10/748,062
 FILING DATE: DECEMBER 30, 2003
 TITLE: APPARATUS, SYSTEM, AND METHOD FOR SECURE MASS STORAGE BACKUP
 EXAMINER:
 GROUP ART UNIT: 2131
 ATTY. DKT. No.: RPS920030216US1

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: 10/11/04

 By: 
 Brian Kunzler, Reg. No.:38,527

BOX MISSING PARTS
 COMMISSIONER FOR PATENTS
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RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

SIR:

Responsive to Form PTO-1533 dated September 1, 2004 received in the above-identified patent application, enclosed are:

- a copy of the Notice to File Missing Parts;
- a signed Declaration and Power of Attorney
- payment in the amount of \$130.00 for the surcharge;
- Other:

Respectfully submitted,

Dated: 10/1/04

By: 

Brian C. Kunzler, Reg. No.:38,527

8 East Broadway, Suite 600
Salt Lake City, UT 84111
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- Please type a plus sign (+) inside this box →
- Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

O I P E

FEES TRANSMITTAL

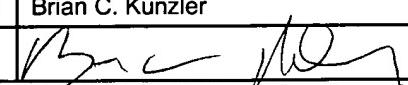
OCT 04 2004

Note: Effective October 1, 2001.
Patent fees are subject to annual revision.

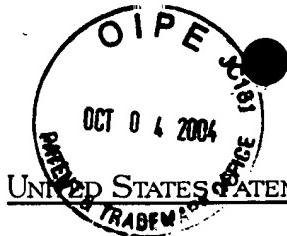
TOTAL AMOUNT OF PAYMENT	\$ 130
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Complete If Known	
Application Number	10/748,062
Filing Date	December 30, 2003
First Named Inventor	Daryl Cromer et al.
Group Art Unit	
Examiner Name	2131
Attorney Docket Number	RPS920030216US1

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:		3. ADDITIONAL FEES					
Deposit Account Number: <u>50-0563</u>		Large Entity	Small Entity	Fee Description	Fee Paid		
Deposit Account Name: <u>IBM CORPORATION</u>		Fee Code	Fee (\$)	Fee Code	Fee (\$)		
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17		<input type="checkbox"/> Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance	1051	130	2051	65 Surcharge - late filing fee or oath	130
2. <input type="checkbox"/> Payment Enclosed:		1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet		
<input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		1053	130	1053	130 Non-English specification		
FEE CALCULATION		1812	2520	1812	2520 For filing a request for reexamination		
1. FILING FEE		1804	920*	1804	920* Requesting publication of SIR prior to Examiner action		
Large Entity Small Entity		1805	1840*	1805	1840* Requesting publication of SIR after Examiner action		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid		
1001	770	2001	385	Utility filing fee			
1002	340	2002	170	Design filing fee			
1003	530	2003	265	Plant filing fee			
1004	770	2004	385	Reissue filing fee			
1005	160	2005	80	Provisional filing fee			
SUBTOTAL (1)			\$ 0				
2. CLAIMS		Extra	Fee from below	Fee Paid			
Total Claims	-20 =	<input type="text"/>	x <input type="text" value="18"/>	= <input type="text"/>			
Ind. Claims	- 3 =	<input type="text"/>	x <input type="text" value="86"/>	= <input type="text"/>			
Multiple Dep. Claims		<input type="text" value="0"/>	x <input type="text" value="290"/>	= <input type="text" value="0"/>			
Large Entity Small Entity							
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid		
1202	18	2202	9	Claims in excess of 20			
1201	86	2201	43	Independent claims in excess of 3			
1203	290	2203	145	Multiple dependent claim			
SUBTOTAL (2)			\$ 0	*Reduced by Basic Filing Fee	SUBTOTAL (3)	\$ 130	

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Brian C. Kunzler			Reg. Number	38,527
Signature			Date	Oct 1, 2004	
	Deposit Account User ID				

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Mail Stop Assignments, P.O. Box 1450, Alexandria, VA 22313-1450.

HFW

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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/748,062	12/30/2003	Daryl Cromer	RPS20030216US1

CONFIRMATION NO. 8316

36491
 KUNZLER & ASSOCIATES
 8 EAST BROADWAY
 SALT LAKE CITY, UT 84111

FORMALITIES LETTER



OC000000013693840

Date Mailed: 09/01/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

10/05/2004 HGT/ENR/1 00000073 500563 10748062
 130.00 DA
 01 FC:1051

*A copy of this notice **MUST** be returned with the reply.*

Shirley Gandy
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE